IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 3942 of 2004(T)

PETITIONER:

S.SIVAKUMAR, AGED 43 YEARS,
S/O.SUKUMARAN, PROPRIETOR,
CHARIOT ADVERTISERS, 39/3529,
SREEKANTATH ROAD, KOCHI-16.

BY ADV. SRI.K.B.SURESH

RESPONDENTS:

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1. GREATER COCHIN DEVELOPMENT AUTHORITY,
REPRESENTED BY ITS SECRETARY,
KADAVANTHARA, KOCHI-20.

2. CORPORATION OF KOCHI,
REPRESENTED BY ITS SECRETARY,
PARK AVENUE, KOCHI-11.

BY ADV. SRI.K.ANAND, SC, COCHIN CORP
SRI.M.V.JOSEPH, SC, GCDA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C)No.3942/2004

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. TRUE PHOTO COPY OF THE LETTER NO.4244/B1/02/ESTATE/ GCDA, DT. 30-7-2002 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P2. TRUE PHOTO COPY OF THE RECEIPT NO.273133, DATED 5-10-2002, ISSUED BY THE 1ST RESPONDENT, TO THE PETITIONER.

EXT.P3. TRUE PHOTO COPY OF THE AGREEMENT EXECUTED BETWEEN THE 1ST RESPONDENT AND PETITIONER DT. 11-10-2002

EXT.P4. TRUE PHOTO COPY OF THE LETTER NO.4244/B1/02/ESTATE/ GCDA, DATED 18-12-2003, ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

/ TRUE COPY /

P.S.TO JUDGE

KURIAN JOSEPH, J.

W.P(C)No. 3942 of 2004

Dated this the 30th day of July, 2007

JUDGMENT

Petitioner is aggrieved by Ext.P4 notice issued by the first respondent. It is clear from the pleadings that the period of contract with the first respondent for the installation of the hoarding has expired. Therefore, practically the writ petition has been rendered infructuous. It is submitted that during the period the petitioner enjoyed the benefit of the interim order no rent is paid. It will be open to the first respondent to realise the rent in accordance with law from the petitioner.

Subject to the above, the writ petition is dismissed.

(KURIAN JOSEPH, JUDGE)

ahg.